

## **SEPTEMBER 21, 2015**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman Ali Vaezi at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Vaezi, Hight, Mayor Clancy Watters, Spender, Farino, Drazek, Minter, Keggan.

Absent: Barton, Hazen, Sams, Creedon.

Also present: Drew DiSessa, P.E.; William Edleston, Esquire.

The Pledge of Allegiance was recited.

**MOTION** was made by **HIGHT** to approve the **minutes** of the **June 15, 2015** meeting, as written.  
**SECONDED: VAEZI.**

Those in favor: Hight, Watters, Farino, Drazek, Minter, Vaezi.

Opposed: None.

Abstained: Mayor Clancy, Spender, Keggan.

Regarding the resolution for Case #15-02, Donald & Paulette Recchia, Edleston stated the word *lien* in the first sentence of page four should be changed to read **line**. Minter stated the spelling of his name in the vote on the last page should be corrected. Minter also stated the vote should reflect Watters was recused, and not an abstention.

**MOTION** was made by **MINTER** to approve the resolution for **Case #15-02, Donald & Paulette Recchia**, as amended.

**SECONDED: HIGHT.**

Those in favor: Farino, Drazek, Minter, Hight, Vaezi.

Opposed: None.

Abstained: None.

### **Case # 15-03, Township of Mansfield**

Present for the applicant: Michael Finelli, P.E. (Township Engineer)

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Finelli was sworn in by Edleston. Finelli explained he was presenting an application for a proposed salt shed structure to be located on the Department of Public Works property. Finelli indicated the review process was triggered by the review letter from the Warren County Planning Board, but it remains a courtesy application based on the proposed being a municipal project. Finelli distributed a photographic copy of a similar structure to the one being proposed.

Edleston agreed the application was a courtesy application, and expressed surprise the county included the Land Use Board approval as a condition in their review letter. Edleston asked if the Township's plan was to construct the salt shed structure for this winter season, and Watters replied that was the plan.

Finelli stated there were issues with the bids that were submitted, but the intent was to move forward with the project. Finelli stated the proposed salt shed would measure 65' X 80', and a bituminous apron would allow for direct access. The project received unconditional approval by the Warren County Soils Conservation District, and conditional approved by the Warren County Planning Board. Finelli explained he was asked to do a budget analysis for the project, and found that funds were available to increase the size of the structure from 40' X 80' to the proposed 65' X 80'. Finelli stated the project would be bid in two phases: the structure itself (the contract has already been awarded), and the site work.

Finelli explained the subject property is in the B-1 Zone, and the project will meet all the bulk requirements as set forth in the Land Development Ordinance. Using a display board, Finelli stated the proposed salt shed will somewhat line up with the existing structure, but will require some grading of the property. The milling stockpile shown on the display board will be used as the base for the bituminous apron and salt shed foundation.

Edleston indicated the county letter required a storm water management plan. Finelli replied there will be some additional storm water runoff, and a swale to recharge the runoff is proposed. Finelli stated the runoff water would drain toward the river. Finelli explained the proposed structure doesn't qualify as a major site improvement, and no detention facility is required.

DiSessa asked the height of the proposed structure, and Finelli replied the height would be approximately 36'. DiSessa asked if the salt shed would be visible from Route 57. Finelli replied it would be visible, but it will be set back from the road and the grade in that area is lower.

Edleston asked if there would be additional lighting. Finelli stated there was no formal lighting plan, but there would be some overhead lighting, with more lighting to be determined at a later date. Edleston asked if the structure would appear to glow in the dark. Finelli replied it would present somewhat of a glow when in use at night.

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DiSessa asked if there would be a push wall at the end of the structure, because one is not shown. Finelli stated there would be a push wall. DiSessa stated it appeared the front of the structure is not to be closed, and Finelli replied that is correct.

Farino asked if the material being used is fire retardant. Finelli stated the fire official agreed that was unnecessary, and fire retardant material would have substantially increased the price and negated the warranty. Farino asked how many years the frame warrantee covered, and Finelli replied it is covered for 50 years. Farino asked if the warranty covers the frame even if it is used for salt. Finelli replied the bid package stated the structure would be used as a "salt shed". Finelli stated he would clarify that issue with the representative from the company who has been awarded the bid.

Drazek asked the distance between the proposed structure and the Musconetcong River. Finelli replied the distance would be approximately 650'.

DiSessa stated the county's letter wants information on the storm water management plan, and who will bear the maintenance responsibility. Finelli stated the Department of Public Works will assume the responsibility for the structure. Finelli stated he spoke with someone from the county, and since the site isn't located on a county road they have little to say. Finelli stated the county conditions are standard conditions for this type of structure.

Mayor Clancy and Watters indicated there may eventually be an additional building proposed for the site in the future, and it would be west of the bituminous apron. Finelli questioned the location of the future proposed building, and stated further consideration of the swale location might have to be investigated. Vaezi asked if the proposed swale was to fulfill the storm water management requirement. DiSessa indicated the requirement is fulfilled as a part of the entirety of the Township's storm water management plan.

Keggan asked if there was enough room for truck maneuvering, and Finelli replied there would be sufficient room.

Edleston asked if the floor of the structure would be paved, and Finelli replied that it would be paved.

Vaezi asked what type of building was possibly proposed for the future. Mayor Clancy replied there might be a pole barn added to the site in the future. Mayor Clancy stated that hopefully the entire Port Murray Road DPW operation can be moved to the Route 57 location.

DiSessa mentioned the location of the septic field for the proposed structures should be well beyond the graded area. Finelli stated they reviewed the limits of the septic field. DiSessa suggested verification of the septic field prior to finalization of the plan.

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**MOTION** was made by **VAEZI** to approve **Case #15-03, Township of Mansfield** to allow the proposed construction of a salt shed structure and bituminous apron on the Department of Public Works property on Route 57, to designate the maintenance responsibility to the Department of Public Works, and the storm water management plan to be included in the overall plan for the Township of Mansfield.

**SECONDED: MAYOR CLANCY.**

Minter cited *Grabowsky v. Township of Montclair*, as summarized in the May issue of The New Jersey Planner, and suggested the Mayor and Committeeman Watters shouldn't vote on this particular application. Edleston concurred with Minter's opinion, and stated Mayor Clancy and Watters should abstain.

Mayor Clancy withdrew his second of the motion.

The motion was **SECONDED** by **HIGHT**.

Those in favor: Drazek, Minter, Keggan, Hight, Spender, Farino, Vaezi.

Opposed: None.

Abstained: Mayor Clancy, Watters.

Under old business, Vaezi mentioned the Enterprise Rental Company property's use of the entire property for parking of cars. Finelli, acting as Zoning Official, stated he could look into the matter.

Vaezi asked if there was any activity on The Meadows property. Edleston replied he hasn't heard anything regarding development of the property. Watters asked if the road opening permits were still valid. Edleston replied he would have to review the matter.

Vaezi asked if the landscaping installed at the solar farm property was correct. DiSessa replied the landscaping appeared to be installed as required by the approval.

Matt Kittle, from the audience, stated he would like permission to construct a pole barn/garage. Kittle explained his application for a Zoning Permit was denied. Kittle explained the proposed structure would meet all the requirements of an accessory structure, but was told it couldn't exceed 150 square feet.

DiSessa stated the Ordinance doesn't specify the difference between an accessory structure such as the proposed vs. a tool shed.

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Mayor Clancy stated Kittle should appear at the Township Committee meeting, and the matter can be discussed with the Zoning Official. Edleston stated an appeal of a decision rendered by the Zoning Official would be made to this board. Farino stated a homeowner should **not** have to pay for something that should be allowed. Mayor Clancy stated Kittle's application shouldn't be denied since other similar applications have been approved in the past.

Spender asked what was happening with the parking lot at the former Cliffdale Park Restaurant site. Farino replied a fishing organization has provided access to the river.

Further discussion took place regarding the past dredging of the river, and the questions that arose about that process.

**MOTION** was made by **FARINO** to authorize the Township Committee to pay the **invoices** submitted by the board professionals.

**SECONDED: VAEZI.**

Those in favor: Minter, Keggan, Hight, Mayor Clancy, Watters, Spender, Farino, Drazek.

Opposed: None.

Abstained: None.

Vaezi raised the issue of the board engineer appointment for 2016. Vaezi reminded the board the engineer appointment was a one year term to be revisited at the end of 2015 in order to review having separate board and township engineers. Watters suggested the next appointment could be a three year term. Mayor Clancy suggested an RFP could be offered. Edleston stated the Land Use Board can offer their own RFP separate from the Township. Vaezi stated it is good to have some consistency with the position, and it has been beneficial that DiSessa is able to relate the history behind some of the cases.

Watters expressed his opinion that a three year term would attract additional applicants. Minter expressed his opinion that one year terms are preferable, and that would allow for negotiation each year.

Vaezi stated if the board is happy with one year terms, it is **not** necessary to advertise. Edleston agreed with Vaezi.

The meeting was adjourned by the Chairman at 8:39 PM.

Respectfully submitted,

Patricia D. Zotti, Secretary  
(As Amended)

